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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of**

Kenichi Kokubo

**Serial No.:** 09/466,925

**Group Art Unit:** 2135

**Filed:** December 20, 1999 **Examiner:** Ha, Leynna A.

**For:** DATA STORAGE DEVICE AND DETECTION METHOD

Honorable Commissioner of Patents  
Alexandria, VA 22313 - 1450

**APPLICANT'S INTERVIEW SUMMARY**

Applicant appreciates the courtesies extended to Applicant's representative during a personal interview on January 25, 2005.

During the personal interview:

1. No exhibit was shown and no demonstration was conducted.
2. Independent claims 1 and 2 were discussed.
3. The Kleijne et al. reference was discussed.
4. No clarifying amendments were discussed.
5. During the personal interview, the Applicant's representative explained that the present invention provides a data storage device that detects a deflection of the housing by detecting the capacitance between two electrodes that are disposed on the housing. For example, one exemplary embodiment of the present invention detects the capacitance between a plurality of electrodes disposed on the housing of the data storage device and determines whether the housing is deflected based upon a change of capacitance between the plurality of electrodes. In this manner, the present invention is capable of reliably detecting any deflection of the housing as might occur when one attempts to dismantle or otherwise gain access to the inside of the housing (page 10, line 15 - page 11, line 7).

Applicant's representative also explained, that the Examiner's allegation of obviousness fails to present a prima facie case of obviousness on at least two counts. The Examiner's allegations 1) fail to provide a motivation in the art to make the alleged modification; and 2) fail to provide a teaching or suggestion of such a modification.

Further, the Applicant's representative explained that the Kleijne et al. reference does not teach or suggest the features of the claimed invention including: 1) detecting a change in capacitance between electrodes 2) that are disposed on the housing.

Examiners Ha and Song did not contradict the Applicant's representative.

Lastly, during the personal interview, Examiner Ha noted that the application does not provide a definition for the term "electrode."

Applicant's representative explained that such a definition was not necessary because one of ordinary skill in the art understands the term "electrode" and would be able to practice the invention as taught by the present application.

6. No other pertinent matters were discussed.

7. Results of the Interview:

The Examiners agreed to further consider Applicant's arguments presented during the personal interview, to review Applicant's response to the Office Action, and to conduct further search and consideration in order to determine patentability

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


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DOCKET NO. 99N034-US

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 2/4/05

  
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